

NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

---

No. 09-1322 & 09-3966

---

CHARLOTTE B. JOHNSON,  
Appellant  
v.

ERIC K. SHINSEKI,  
SECRETARY OF VETERANS AFFAIRS,

(Pursuant to Rule 43(c), FRAP)

---

On Appeal from the United States District Court  
for the Eastern District of Pennsylvania  
(Civ. Nos. 2-06-cv-04316, 2-07-cv-04741)  
District Judge: Hon. Petrese B. Tucker

Submitted Pursuant to Third Circuit LAR 34.1(a)  
Monday, January 24, 2011

Before: McKEE, *Chief Judge*, SMITH, *Circuit Judge*,  
and STEARNS,\* *District Judge*

(filed: February 4, 2011 )

---

OPINION

---

McKEE, *Chief Judge*.

---

\* Honorable Richard G. Stearns, District Court Judge, District of Massachusetts, sitting by designation.

Appellant Charlotte B. Johnson appeals the district court's grant of Appellee Secretary of Veterans Affairs' motion for summary judgment on Johnson's Title VII retaliation claim and motion for judgment as a matter of law on Johnson's Title VII discrimination claim. For the reasons set forth below, we will affirm.

Because we write primarily for the parties, we need not repeat the facts and procedural history of this case. Moreover, the district court has ably summarized that background. *See Johnson v. Nicholson*, 2009 WL 2180352 (E.D. Pa. July 20, 2009); *Johnson v. Nicholson*, 575 F. Supp. 2d 683 (E.D. Pa. 2008). On appeal, Johnson argues that the district court erred (1) when it granted the Secretary's motion for summary judgment on Johnson's retaliation claim based on her failure to timely exhaust her administrative remedies; and (2) when it granted the Secretary's motion for a judgment as a matter of law on Johnson's Title VII discrimination claim based on her failure to present legally sufficient evidence of discrimination at trial.

In the detailed and thoughtful opinions Judge Tucker filed in this case, she carefully and clearly explained her reasons for the rulings Johnson is appealing. *See Johnson v. Nicholson*, 2009 WL 2180352 (E.D. Pa. July 20, 2009); *Johnson v. Nicholson*, 575 F. Supp. 2d 683 (E.D. Pa. 2008). We can add little to Judge Tucker's reasoning and we will therefore affirm those rulings substantially for the reasons set forth in those opinions.